

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BRUSH WELLMAN INC.	)	CASE NO. 1:03 CV 2305
	)	
Plaintiff,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
vs.	)	<b><u>DEFENDANTS' BRIEF IN</u></b>
	)	<b><u>OPPOSITION TO PLAINTIFF'S</u></b>
JENERIC/PENTRON INC., ET AL.	)	<b><u>MOTION FOR SUMMARY</u></b>
	)	<b><u>JUDGMENT</u></b>
Defendants.	)	

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JENERIC/PENTRON INC., ET AL.,	)	CASE NO. 1:04 CV 721
	)	
Plaintiffs,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
vs.	)	
	)	
BRUSH WELLMAN INC.,	)	
Defendant.	)	

Defendants Jeneric/Pentron, Inc. and Pentron Laboratory Technologies, L.L.C. (collectively “Jeneric Pentron”) oppose the Motion for Summary Judgment of Plaintiff Brush Wellman Inc. (“BW”) on the basis that Jeneric Pentron cannot at the present time present by affidavit facts essential to justify its opposition.

An affidavit in conformity with Federal Rule of Civil Procedure 56(f) is attached and incorporated.

Respectfully submitted,

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I certify that on April 20, 2005, the foregoing Defendants' Brief in Opposition to Plaintiff's Motion for Summary Judgment was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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/s/ Arthur M. Kaufman  
One of the Attorneys for Defendants  
Jeneric/Pentron, Inc. and Pentron Laboratory  
Technologies, L.L.C.